THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.160 of 2006

DATED: 25.01.2006

Between:

Jadderu Gangalamma Girijana Quarry Labour Contract

Co.operative Society Limited., rep. By its President-Chakka Buchi Raju,

Jadderu Village, Gangavaram Mandal, East Godavari District.

…Petitioner

A n d

1.The District Collector, East Godavari District at Kakinada and others.

…Respondents

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ORDER:

Jadderu Gangalamma Girijana Quarry Labour Contract Co-operative Society Limited ('the Society' for brevity) filed the instant writ petition seeking, *inter alia,* a direction to respondent Nos.1 to 4 to permit it to carry on quarry operations in the area leased out to the petitioner-Society. The petitioner-Society complains that though it was granted a mining lease on 24.03.2005, and though the petitioner entered into a lease agreement in Form-G as appended to the A.P.Minor Mineral Concession Rules, 1966, the fourth respondent stopped the quarrying operations from 31.08.2005, and seized the machinery and material lying in the quarry area. It is also further alleged by the petitioner-Society that on a representation given by it, the fourth respondent conducted an enquiry and submitted a report on 14.11.2005 to the first respondent to the effect that the villagers have no objection for quarrying

operations. As no orders are passed thereon, the present writ petition is filed.

The writ petition was initially listed before this Court on 04.01.2006, and the matter was adjourned to enable the learned Assistant Government Pleader for Revenue (General) to get instructions in the matter. Today when the matter is called, after getting instructions, the learned Assistant Government Pleader submits that the Mandal Revenue Officer never interfered with the mining/quarrying operations of the petitioner, and that the writ petition is filed on a mere apprehension.

Even according to the petitioner, the machinery was seized on 31.08.2005, and the fourth respondent stopped mining operations. It is also admitted by the petitioner that the fourth respondent sent a report in November 2005 to the first respondent seeking necessary instructions to permit the petitioner-Society to carry on the quarrying operations. This allegation would belie any contention that the fourth respondent stopped the quarrying operations. After getting instructions, the learned Assistant Government Pleader submits that the fourth respondent never stopped the quarrying operations, and the same is recorded.

If the petitioner has any grievance, it may approach the Deputy Director, Mines and Geology, or the Assistant Director, Mines and Geology, for redressal in this regard.

The Writ Petition, with the above observations, is dismissed. No costs.

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(V.V.S.RAO, J)

25.01.2006

vs